

AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FILED ON

June 2, 2008

FILE NO

INDEX NO

08 CIV 5040

BOARD OF TRUSTEES of the LOCAL UNION 373 UNITED ASSOCIATION OF
THE JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING
INDUSTRY LOCAL 373 BENEFIT FUNDS,

Plaintiff(s) - Petitioner(s)

-vs-

WENDY McDONAGH, ET AL

Defendant(s) - Respondent(s)

STATE OF NEW YORK
COUNTY OF ORANGE

I, Michael Root, being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party

in this proceeding and resides in New York State

On June 12, 2008 at 8:15 PM

Deponent served the within SUMMONS IN A CIVIL ACTION AND COMPLAINT

upon CINDY NORTON, DEFENDANT

at address: 5 Vinebrook Ave.

City & State: Cornwall-on-Hudson, NY 12520

MANNER OF SERVICE

INDIVIDUAL By delivering a true copy of each to said recipient personally, deponent knew the person so served to be the
1. ☒ person described as said recipient thereinCORPORATION a corporation by delivering thereat a true copy of each to
2. ☐ personally, deponent knew said corporation so served to be the corporation, described in same as said
recipient and knew said individual to be thereofSUITABLE AGE PERSON As per Attorney's instruction, by delivering thereat a true copy of each to
3. ☐ a person of suitable age and discretion. Said premises is recipient'sAFFIXING TO DOOR, ETC. by affixing a true copy of to the door of said premises which is recipient's
4. ☐ Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having
called there. Deponent talked to premises who stated that recipientMAILING TO RESIDENCE Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly
5a. ☐ addressed to recipient at recipient's last known residence, at
and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within
New York StateMAILING TO BUSINESS Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly
5b. ☐ addressed to recipient's actual place of business, at
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State
The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereat
by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

DESCRIPTION Deponent describes the person actually served as:

☒

Sex: FEMALE

Skin Color: WHITE SKIN

Hair Color: BLACK HAIR

Approx. Age: 38-50 YRS.

Approx. Height: 5'8"-6'0"

Approx. Weight: 131-180 LBS

Other identifying features:

WITNESSES:

☐

5

authorizing traveling expenses and one days' witness fee

MILITARY SERVICE

☒I asked the person to whom whether recipient was in active military service of the United States or of the State of New York in any capacity whatsoever and returned a negative
reply. Recipient wore ordinary clothes and no military uniform. The source of my information here the grounds of my belief are the conversations and observations above
narrated. Upon consultation and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in
the Federal statutes.

Sworn before me on

June 17, 2008

Susan Lawrence

SUSAN LAWRENCE
Notary Public, State of New York
Qual. in Rockland Co., No. 041A6063602
Commission Expires September 4, 2009

MICHAEL ROOT